

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JAMES BECKEY,

Plaintiff,

v.

ORDER

Civil File No. 19-1991 (MJD/ECW)

TOM BARRETT, et al.

Defendants.

James Beckey, pro se.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated February 16, 2021. Plaintiff James Beckey filed a document in response entitled "Report and Recommendation: Plaintiff's Motion for Leave to Reply Under Seal." [Docket No. 10] In that document, Plaintiff states that "the plaintiff hereunder has no objection to your recommended disposition of the instant case but only insofar as it might not affect standing to proceed otherwise which appears unlikely." Plaintiff further states that, "[t]o the extent it might be helpful from [the Court's] perspective," he would like to upload under seal the

documents that he has provided to law enforcement. Plaintiff did not file any objection to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated February 16, 2021. As explained in the Report and Recommendation, this case has been pending for more than one-and-a-half years, and Plaintiff has failed to file a valid amended complaint, has not effected service on any named Defendant, has not complied with the Court's previous orders, and has not otherwise taken any action to prosecute this case. There is no basis for the Court to grant Plaintiff leave to upload under seal any further documents.

Accordingly, based upon the files, records, and proceedings herein, **IT IS
HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated February 16, 2021 [Docket No. 9].
2. Plaintiff's Motion for Leave to Reply under Seal [Docket No. 10] is **DENIED**.

3. This matter is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rules of Civil Procedure 4(m) and 41(b).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 13, 2021

s/Michael J. Davis

Michael J. Davis

United States District Court